

A.) AMENDMENTS TO THE CLAIMS:

1. (currently amended) An apparatus for adjusting a position of a toilet seat of a toilet having a left side, a right side, a bowl disposed between the left side and the right side toward a front of the toilet, and a tank disposed between the left side and the right side toward a rear of the toilet, the apparatus comprising:

a first bracket and a second bracket for placement being disposed between a tank and a rear edge of a bowl of a toilet, the first bracket disposed further for being disposed on a left side of the toilet bowl and the second bracket further for being disposed on a right side of the toilet bowl, ~~the first bracket and the second bracket for securing a plurality of geared shafts to the toilet ;~~

a first geared shaft, disposed between the first and second brackets closer to the tank than the bowl, that rotates the first geared shaft operative to rotate in response to a depression of a lever disposable on either a left end or a right end of the first geared shaft;

a second geared shaft, disposed between the first and second brackets closer to the bowl than the tank, and operatively engaged with the first geared shaft such that a rotation of the first geared shaft causes a rotation of the second geared shaft; and

a flange secured along the second geared shaft, the flange for attachment to a toilet seat to adjust a position thereof in response to the rotation of the second geared shaft.

2. (previously presented) The apparatus of claim 1, further comprising:

a lever attached to one side of the first geared shaft.

3. (previously presented) The apparatus of claim 2, the lever further comprising an upper portion and a separate lower portion of smaller diameter for fitting within an end of the upper portion.

4. (previously presented) The apparatus of claim 3, the upper portion including a screw disposed to secure the lower portion at a desired position within the upper portion.

5. (previously presented) The apparatus of claim 2, the lever further comprising a foot pedal.

6. (previously presented) The apparatus of claim 5, wherein the foot pedal is disposed above a floor when the apparatus is mounted to the toilet.

7. (previously presented) The apparatus of claim 1, further comprising:  
a plate for placement on the toilet between the bowl and the tank; and  
the first and second brackets disposed on the plate for securing the first geared shaft and the second geared shaft on the toilet.

8. (canceled)

9. (canceled)

10. (previously presented) The apparatus of claim 1, wherein the first geared shaft and the second geared shaft have a 1:1 gear ratio.

11. (previously presented) The apparatus of claim 1, wherein the first geared shaft and the second geared shaft have a 2:1 gear ratio.

12. (canceled)

13. (previously presented) The apparatus of claim 1, further comprising:  
a bushing disposed on a bolt of the second geared shaft in contact with the first bracket, for dampening a rotation of the second geared shaft.

14. (previously presented) The apparatus of claim 1, further comprising:  
a toilet seat and a toilet seat cover secured to the flange.

15. (previously presented) The apparatus of claim 1, further comprising:  
a toilet having a bowl and a tank, the first geared shaft and the second geared shaft disposed between the tank and the bowl.

16. (previously presented) The apparatus of claim 1, further comprising:  
a cover for enclosing the first geared shaft and the second geared shaft.

17. (canceled)

18. (currently amended) A toilet having a left side, a right side, a bowl disposed between the left side and the right side toward a front of the toilet, a toilet seat positioned over the bowl, and a tank disposed between the left side and the right side toward a rear of the toilet, the toilet further comprising:

a foot operated mechanism disposed between a tank and a bowl of the toilet, the foot operated mechanism comprising:

~~a first bracket and a second bracket disposed between the tank and a rear edge of the bowl of the toilet, the first bracket disposed on a the left side of the toilet, bowl and the~~

~~a second bracket disposed on a the right side of the toilet, bowl, the first bracket and the second bracket securing:~~

a first geared shaft disposed between the first and second brackets closer to the tank than the bowl and having a lever disposed on at least one side for providing torque to rotate the first geared shaft;

a second geared shaft disposed between the first and second brackets closer to the bowl than the tank and operatively engaged with the first geared shaft such that a rotation of the first geared shaft in a first direction causes a rotation of the second geared shaft in an opposite direction; and

a flange secured along the second geared shaft, the flange further attached to a the toilet seat for adjusting a position thereof over the bowl in response to a the rotation of the second geared shaft.

19. (currently amended) A method for adjusting a position of a toilet seat of a toilet having a left side, a right side, a bowl disposed between the left side and the right side toward a front of the toilet, and a tank disposed between the left side and the right side toward a rear of the toilet, the method comprising:

depressing a foot operated lever to raise a toilet seat, the foot operated lever attached to a first geared shaft that rotates a second geared shaft, the first and second geared shafts disposed between the tank and the bowl of the toilet, the first and second geared shafts secured between a pair of brackets that are first bracket disposed on the left side of the toilet and a second bracket disposed on the right side of the toilet on opposite sides of a bowl of a toilet, the second geared shaft having a flange attached to the toilet seat; and

releasing the foot operated lever to lower the toilet seat.